

October 15, 2009

GLORIA L. FRANKLIN, CLERK

U.S. BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA



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Signed and Filed: October 14, 2009

THOMAS E. CARLSON
 U.S. Bankruptcy Judge

Attorneys for BANK OF AMERICA, NATIONAL ASSOCIATION

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

In re

MARILYN H. REVERENTE ,

Case No. 09-31819-TEC

Chapter 7

R.S. No. KLJ-310

ORDER GRANTING MOTION FOR
RELIEF FROM AUTOMATIC STAY

DATE: September 21, 2009

TIME: 1:00 PM

CTRM: 23

Debtor(s).

Northern District of California - San
 Francisco Division
 United States Bankruptcy Court
 235 Pine Street, 19th Floor
 San Francisco, CA 94104

The above-captioned matter came on for hearing on September 21, 2009, at 1:00 PM, in Courtroom 23, upon the Motion of Bank of America, National Association ("Movant"), for relief from the automatic stay of 11 U.S.C. § 362, to enforce its interest in the property of Marilyn H. Reverente ("Debtor") commonly known as 3675 Squirrel Street Las Vegas, Nevada 89122 (the "Real Property"), which is legally described as follows:

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1 SEE LEGAL DESCRIPTION AS EXHIBIT FOR PROPOSED
2 ORDER GRANTING MOTION FOR RELIEF FROM
3 AUTOMATIC STAY, DOCKET NUMBER 17.

4 Appearances as noted on the record.

5 Based on the arguments of counsel, and good cause appearing therefor,

6 IT IS HEREBY ORDERED:

7 1. The automatic stay of 11 U.S.C. § 362, is hereby terminated as it applies to the
8 enforcement by Movant of all of its rights in the Real Property under Note and Deed of Trust;

9 2. Movant is authorized to foreclose its security interest in the Real Property under
10 the terms of the Note and Deed of Trust, and pursuant to applicable state law;

11 3. The 10-day stay provided by Bankruptcy Rule 4001 (a)(3) is waived;

12 4. Post-petition attorney's fees and costs for the within motion may be added to the
13 outstanding balance of the subject Note as allowed under applicable non-bankruptcy law;

14 5. Upon foreclosure, in the event Debtor fails to vacate the Real Property, Movant
15 may proceed in State Court for unlawful detainer pursuant to applicable state law; and

16 6. Movant may offer and provide Debtor with information re: a potential
17 Forbearance Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss
18 Mitigation Agreement, and may enter into such agreement with Debtor. However, Movant may
19 not enforce, or threaten to enforce, any personal liability against Debtor if Debtor's personal
20 liability is discharged in this bankruptcy case.

21 ** END OF ORDER **

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